

Report Date: October 4, 2022

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Oct 05, 2022**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lucas Roy Howard Sermenio Case Number: 0980 1:20CR02010-SAB-1

Address of Offender: [REDACTED] Harrah, Washington 98933

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: December 3, 2020

Original Offense: Assault with a Dangerous Weapon, 18 U.S.C. §§ 1153 and 113(a)(3)

Original Sentence: Prison - 22 months
TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael Murphy Date Supervision Commenced: November 12, 2021

Defense Attorney: Paul Shelton Date Supervision Expires: November 11, 2024

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 12/10/2021 and 2/7/2022.

On November 12, 2021, supervised release conditions were reviewed and signed by Mr. Sermenio acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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8	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: Mr. Sermenio violated mandatory condition number 1 on November 30, 2021, by allegedly committing the crime of Fourth Degree Assault, in violation of the Revised Code of Washington (RCW) 9A.36.041.2; Wapato Municipal Court (WMC) case number 1A0570557.

According to the Wapato Police Department (WPD) narrative report number 21W2395, a WPD officer was dispatched to a Dollar Tree store in response to an unwanted guest. Upon arrival at the scene, the unwanted guest had departed; however, the store manager advised the WPD officer that the suspect had prowled a vehicle in the parking lot and knocked a glass out of the hand of a customer. Video surveillance from the store positively identified Mr. Sermenio as the unwanted guest, swinging his arm at a Dollar Tree customer. The victim also reported that Mr. Sermenio had brandished a knife to her wrist, and she feared he would stab her with it if she reacted further.

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Later that same day, the WPD officer located Mr. Sermeno and advised that he was trespassed from the Dollar Tree store. The WPD officer collected Mr. Sermeno's address to forward charges.

9 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Sermeno violated mandatory condition number 1 on November 30, 2021, by allegedly committing the crime of Third Degree Malicious Mischief, in violation of the RCW 9A.48.090; WMC case number 1A0570557.

According to the WPD narrative report number 21W2395, a WPD officer was dispatched to a Dollar Tree store in response to an unwanted guest. Upon arrival to the scene, the unwanted guest had departed; however, the store manager advised the WPD officer that the suspect had prowled a vehicle in the parking lot and knocked a glass out of the hand of a customer. Video surveillance from the store positively identified Mr. Sermeno as the unwanted guest, swinging his arm at a Dollar Tree customer. The victim also reported that Mr. Sermeno had brandished a knife to her wrist, and she feared he would stab her with it if she reacted further.

Later that same day, the WPD officer located Mr. Sermeno and advised that he was trespassed from the Dollar Tree store. The WPD officer collected Mr. Sermeno's address to forward charges.

10 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Sermeno violated mandatory condition number 1 on July 29, 2022, by allegedly committing the crime of Second Degree Theft/Theft Obtain Control of Property, in violation of the RCW 9A.56.040(1)(d) and 9A.56.020(1)(a); Yakima County Superior Court (YCSC) cause number 22-1-01361-39.

According to the Yakima Police Department (YPD) narrative report number 22Y080931, on July 29, 2022, a YPD officer followed up on a July 15, 2022, online theft report stating that Mr. Sermeno was seen on home surveillance video entering the victim's house unlawfully while the victim was not home. The victim then reported her purse was stolen and the following day, July 16, 2022, the victim's bank account had been emptied. Mr. Sermeno had allegedly used her debit card twice for fraudulent transactions and was also seen on video surveillance at both a local gas station purchasing alcohol, and exiting a clothing store with a bag of merchandise.

The victim reported that on July 23, 2022, Mr. Sermeno returned her stolen debit card, driver's license, and insurance card, but not the purse itself. Mr. Sermeno never received permission to use her debit card.

11 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Sermeno violated mandatory condition number 1 on July 29, 2022, by allegedly committing the crime of Third Degree Theft/Theft Obtain Control of Property, in violation of the RCW 9A.56.050 and 9A.56.020(1)(a); YCSC cause number 22-1-01361-39.

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According to the YPD narrative report number 22Y080931, on July 29, 2022, a YPD officer followed up on a July 15, 2022, online theft report stating that Mr. Sermeno was seen on home surveillance video entering the victim's house unlawfully while the victim was not home. The victim then reported her purse was stolen and the following day, July 16, 2022, the victim's bank account had been emptied. Mr. Sermeno had allegedly used her debit card twice for fraudulent transactions and was also seen on video surveillance at both a local gas station purchasing alcohol, and exiting a clothing store with a bag of merchandise.

The victim reported that on July 23, 2022, Mr. Sermeno returned her stolen debit card, driver's license and insurance card, but not the purse itself. Mr. Sermeno never received permission to use her debit card.

12 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Sermeno violated mandatory condition number 1 on July 29, 2022, by allegedly committing the crime of Second Degree Possession of Stolen Property Access Device/ Possessing Stolen Property Defined, in violation of the RCW 9A.56.160(1) and 9A.56.140; YCSC cause number 22-1-01361-39.

According to the YPD narrative report number 22Y080931, on July 29, 2022, a YPD officer followed up on a July 15, 2022, online theft report stating that Mr. Sermeno was seen on home surveillance video entering the victim's house unlawfully while the victim was not home. The victim then reported her purse was stolen and the following day, July 16, 2022, the victim's bank account had been emptied. Mr. Sermeno had allegedly used her debit card twice for fraudulent transactions and was also seen on video surveillance at both a local gas station purchasing alcohol, and exiting a clothing store with a bag of merchandise.

13 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Sermeno violated mandatory condition number 1 on August 26, 2022, by allegedly committing the crime of Second Degree Criminal Trespass, in violation of the RCW 9A.52.080.1; WMC cause number 2A0533872

According to the WPD narrative report number 22W1923, on August 26, 2022, a WPD officer was called for a suspicious circumstance. A male was reported placing a pipe bomb in a trash can outside of Noah's Ark Homeless Shelter (NAHS).

The WPD officer was unable to locate the trash can, but made contact with the reporting party who identified the man in question as Lucas Sermeno. The reporting party informed the WPD officer that Mr. Sermeno had a lifetime ban from NAHS for fighting with employees. The WPD officer then viewed surveillance footage with NAHS staff which showed Mr. Sermeno place an unknown item in the trash can and quickly remove it. The WPD officer was unable to locate Mr. Sermeno at that time.

The WPD officer was called back to NAHS on a report that Mr. Sermeno had returned to NAHS property and was possibly at a nearby Dairy Queen, hiding under a van. The WPD was again unable to locate Mr. Sermeno.

The next day, August 27, 2022, a WPD officer was dispatched to a home in response to an unwanted individual wielding a bat and knocking on their door. The individual was identified as Mr. Sermeno and he refused to leave when the homeowners requested he do so.

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The WPD officer was able to locate Mr. Sermeno on the side of the house and took him into custody. While en route to Yakima County Jail, Mr. Sermeno became aggressive by banging his head on the partition and kicking the back window guard of the WPD vehicle.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 4, 2022

s/Kyle Mowatt

Kyle Mowatt
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

10/5/2022

Date